MAY 13 2004

U.S. PATENT & TRADEMARK OFFICE

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: *Burg et al.*	EXAMINER: O. ANWAH
APPLICATION NO.: 09/850,181	ART UNIT: 2645
FILED: MAY 7, 2001	CONF. NO: 1252
FOR: METHOD AND SYSTEM FOR SIGNALING PRESENCE OF USERS IN A MULTI-NETWORKED ENVIRONMENT	

Declaration of Frederick Murray Burg Under 37 C.F.R. § 1.131

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

I, Frederick Murray Burg, declare and state that:

1. I am a joint inventor of the invention described and claimed in U.S. Patent Application No. 09/850,181, filed May 7, 2001, entitled "Method and System for Signaling Presence of Users in a Multi-Networked Environment." This Declaration establishes invention in this country prior to August 24, 2000, which is the filing date of U.S. Patent No. 6,405,035 (Singh).

2. I, together with co-inventor Steven T. Kanefsky, conceived of the invention in the U.S. as recited in currently presented claims 1-22 and 24-33 prior to August 24, 2000. Our conception of the invention is corroborated by a document entitled "Patent Review Request" and (attached to this Declaration as "Exhibit A") and further corroborated by a related document entitled "Disclosure Information Print" (attached to this Declaration as "Exhibit B"). The date of these documents is prior to August 24, 2000.

3. As shown in the documents of Exhibits A and B, we conceived of a system and method for providing an alternative communication path to a user (e.g.,

presence information service). The system and method we conceived of stores information about a plurality of communication devices associated with the user, wherein at least two of the plurality of communication devices belong to different types of networks (e.g., the "PI-service" stores presence information "independent of any other service that might have a need to know a user's availability as part of its operation"). (See e.g., Exhibit A, Section 3, first paragraph.)

4. As further shown in the documents of Exhibits A and B, the system and method we conceived of queries the different types of networks for status information of the at least two of the plurality of communication devices, wherein the status information includes presence information and activity information and indicates whether the at least two of the plurality of communication devices are currently on-line and when they were last active (e.g., determines whether persons are "reachable" via their devices, or whether the devices are "turned-on," "on-line," etc.). (See e.g., Exhibit B, "Brief Description" Section, first paragraph.)

5. As further shown in the documents of Exhibits A and B, the system and method we conceived of receives a request from one of the different types of networks (e.g., "any other service that might have need to know a user's availability as part of it's operation") for an alternative communication path for a call that the one of the different types of networks was unable to complete due to the user's absence availability information. (See e.g., Exhibit A, Section 3, first paragraph; Exhibit B, "Brief Description" Section, first paragraph.)

6. As further shown in the documents of Exhibits A and B, the system and method we conceived of evaluates the received status information to determine the communication device at which the user can likely be reached, selects the communication device at which the user can likely be reached as the alternative communication path, and redirects the call to the network to which the selected communication device belongs, thereby enabling a communication path to be established to the user's selected communication device (e.g., use presence

information to "reach the user on a cell phone even though the originator sent email"). (See e.g., Exhibit B, "Brief Description" Section, second paragraph.)

7. After conceiving of this invention, from prior to August 24, 2000, to May 7, 2001, we pursued it diligently by at least the following: having the invention disclosure document reviewed by a patent committee (see Exhibit C) and taking steps to prepare the patent application for filing, including preparation of filing documents. On May 7, 2001, we constructively reduced this invention to practice when filing the patent application.

8. I further declare that all statements made herein of my own knowledge are true and that all statements made on information or belief are believed to be true; and further, that the statements are made with the knowledge that the making of willful or false statements or the like is punishable by fine or imprisonment or both under § 1001 of Title 18 of the United States Code and may jeopardize the validity of any patent issuing from this patent application.

Dated this 7th day of May 2004.

Frederick Murray Burg

Frederick Murray Burg

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EXHIBIT A

2000-0012

PATENT REVIEW REQUEST

Name:	Fred Burg
Date:	
Social Security Number:	084-44-1768
Telephone Number:	732-576-4322
E-mail Address:	f.burg@att.com
Organization:	1AGC00000
AT&T Business Unit:	ACS
Location:	NJ8102 (Lincroft, NJ)

Please answer the following questions as completely as possible.

1. SUBJECT (Title of your Idea) Unification of Presence Information

2. OBJECTIVE (What problem does the proposal solve or what purpose does it serve?) Various services depend on one type of presence information (PI) as the heart of the service – with each service depending on a different type of PI. To maximize the ability to be reached, it is advantageous to treat all types of PI in a uniform way such that they are independent of a particular service. In this way, services can use the collective PI to determine if a person is reachable in any form or in a particular form suitable for a specific service.

3. BRIEF DESCRIPTION (1. What is it? 2. How does it operate? 3. Is there a date involved, e.g. introduction or announcement of a service or product?)
Presence information (PI) is defined here as status data for a user that he/she is available (conversely, no longer available). This information is stored by a PI-service independent of any other service that might have a need to know a user's availability as part of its operation. The PI-service is implemented as one or more PI-servers; this implementation is not visible to users of the PI-service. Examples of current uses in limited ways of PI information include that a person is on-line on a PC or has turned on his/her cell phone. In the former case, on-line status could be used by an Internet Call Waiting (ICW) service or a Buddy List service. The latter case is used by the PSTN/Wireless network to know if a person is reachable for voice communication.

With a unified PI-service, a new service could determine how to reach a user. For example, trying to reach a person via email would not succeed if the user had only turned on his/her cell phone since that presence is typically not known to email systems. New services could be designed using the PI-service to reach the user on a cell phone even though the originator sent email. For example, the new service could convert the email to speech (using well known TTS capabilities) if that was the only way to reach the recipient. The PI-service could also maintain rules that specify time-of-day schedules, applications, or identities of "callers" so that communications can be filtered out from unwanted "callers" even though the user is "available". The PI-service could also send availability information, based on these filtering rules, to other service providers for their use (e.g., to a Buddy List service).

In another context, the use of a wire-line phone also announces presence in different ways. Registering for phone service creates a static indication that the user is potentially available at that number. Of course, the user may not be home. But indications such as call-forwarding or even engaging in a phone call do provide a dynamic indication of the reachability of the subscriber.

4. COMPARISON (1. What is the known prior art (e.g. past publications or products), if any? 2. What are the differences over the prior art? 3. What commercial benefits are derived from these differences?)
Existing services that depend on PI include it as part of the service. In the case of ICW, for example, the fact that an ICW subscriber is on-line is included as part of the ICW service itself. With just this, it would not be possible for a Buddy List service to know the same person is on-line. In this instance, the ICW subscriber would also have a Buddy client that duplicates the functionality of announcing he/she is now on-line.

5. USE (1. What is the probability of commercial use? By AT&T? By Others? 2. Is it scheduled for use in an AT&T Product or service? 3. Which one, and when? 4. Is this idea likely to be adopted by others? If so, to what extent? Why? 5. Is it likely to become a standard? 6. Do you see applications for the idea other than the one described above?)
Use of a centralized PI-service would have significant commercial benefit to AT&T. Between wireless subscribers and on-line users for example, this would allow new services to be built around a unified PI-service that allows "cross-communications" from one medium type to another. It would seem that other companies with big subscriber bases in one area might attempt to gather the PI information from other devices (such attempts are already known).

6. SUBMITTERS (You and any others who collaborated with you in the development of this idea)

Fred Burg
084-44-1768
62 Golf Street
W. Long Branch, NJ 07764
Monmouth County
US Citizen

Please return the completed form by mail or E-mail to:
Patent Hot Line, AT&T, 150 Allen Road, Suite 3000, Liberty Corner, NJ 07938
ATTN: IPLAW Group; Fax Number: 908-903-6193 or return by e-mail

EXHIBIT B

Disclosure #	2000-0012	Client/Divis	Consumer Comm. Services
Customer	ATPP	Verified	N
Atty	Conover, Michele L.	IPRT Rating	
Work Atty	Morgan & Finnegan	Disc Type	Patentability
Owner	AT&T Corp.	Status	Open
Team	Network Intelligence	Def.Pub.	
		OC Atty	
		Gov.Con.	No
Party #7			
Party #8			
Party #9		Code #9	
Party #10		Code #10	
Party #11		Code #11	
Party #12		Code #12	
Party #13		Code #13	
Party #14		Code #14	
Party #15		Code #15	
Party #16		Code #16	
		Open Date	
		Close Date	
		Deadline Dt	
File Locatio	BR		
File Locatio		OC Mail Dt	
Text #6			
Text #7			
Text #8			
String			
Create Dt		Update User	FADA
Update Date		Update Time	4:32 PM

** Actions **

Action Code	Initial Team Review
Action Date	
	Comp Date

** Brief Description **

Desc

Presence information (PI) is defined here as status data for a user that he/she is available (conversely, no longer available). This information is stored by a PI-service independent of any other service that might have a need to know a user's availability as part of its operation. The PI-service is implemented as one or more PI-servers; this implementation is not visible to users of the PI-service. Examples of current uses in limited ways of PI information include that a person is on-line on a PC or has turned on his/her cell phone. In the former case, on-line status could be used by an Internet Call Waiting (ICW) service or a Buddy List service. The latter case

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** Inventors **

Inventor	Burg, Frederick Murray	Assignee	AT&T Corp.
		Assigned	

** Tech/Other #'s **

Tech/Other #	Network Intelligence (NIT (P,S,T) or O P
Dt Assigned	

** Title **

Title	Unification of Presence Information.

EXHIBIT C

Intellectual Property - Law

3252H2
295 N. Maple Ave.
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908 221-5773
Fax: 908 221-5783
E-mail: mconover@lga.att.com

Mr Christopher Hughes
Morgan & Finnegan
345 Park Avenue
New York, New York - 10154

Dear Mr. Hughes

Enclosed please find a patentability disclosure for which I am managing attorney:

Docket No. 2000-0012 - 2455 4663

Inventor(s)	Fred Burg	(732) 576-4322
Title of Invention:	Unification of Presence Information	
Technical Contact:	Fred Burg	

Approval for the filing of a patent application from this disclosure has been given by the AT&T Intellectual Property Review Team.

Inasmuch as this invention disclosure has received a rating of 2 from the Team, we expect you to complete a patent application within two months. Pursuant to AT&T's revised Outside Counsel policy, kindly provide us with a firm commitment date by which you will complete this matter so we may enter that information into our database for tracking purposes.

Please acknowledge receipt by signing and faxing this sheet to us at (908) 221-5783
Received and acknowledged: By:_____ Date: _____

Firm Commitment Date: _____

Please call our Outside Counsel Coordinator, Ann E. Taylor, 732 420 5622 for all administrative matters concerning this disclosure.

Sincerely,

M. L. Conover
Managing Attorney

Encs.
As stated

Copy (w/enc.) to
A. E. Taylor

Copy (w/o enc.) to